

Remarks. The applicants respectfully request entry of the present amendment. Entry of the amendment is appropriate, under 37 C.F.R. § 1.116, since it only cancels claims and because jurisdiction of the instant case has not yet transferred to the Board. The amendment cancels claims 1 and 15 so as to streamline the issues for appeal. Claims 2, 14, 28, 30 and 34-39 are pending. No new matter has been added to the application.

Conclusion. The applicants hereby request early and favorable action.

Respectfully submitted,

Date: 2/25/2009



Thomas Tricolo, Ph.D., J.D.
Registration No. 48,001
Attorney for Applicant(s)

Schering-Plough Corporation
Patent Department; K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, NJ 07033
908-298-2347